

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
May 15, 2018

The City Council convened in a Regular City Council Meeting on Tuesday, May 15, 2018, at 7:00 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council John Hanneke, presiding, and the Honorable Mayor Sally A. Faith and Members of the Council present as follows: Dave Beckering, Tom Besselman, Bart Haberstroh, Rod Herrmann, Bridget Ohmes Mary Ann Ohms, Vince Ratchford, Jerry Reese and Mary West. Absent: None. City Clerk Laura L. Whitehead was present and performed the duties of that office.

File # 48782

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

ADMINISTRATIVE HEARING

- A. Appeal of Case No. C/A-2018-10(EC). Certificate of Appropriateness for 132 North Main Street (*RCA Attached*)

At the conclusion of the hearing, the Regular Session continued with the order of business.

REPORT OF THE MAYOR/AWARDS/PROCLAMATIONS/PRESENTATIONS

Presentation of the 2018 Landmarks Preservation Awards

Landmarks Board Chairperson Steve Martin thanked the City Council and Mayor Sally Faith for allowing the City of Saint Charles Landmarks Board the time to acknowledge the winners of the 2018 Historic Preservation Awards. The program recognizes the valuable contributions, hard work and financial commitment of property owners and individuals who have played an active role in preserving the City's historic resources. The awards are presented each May during National Historic Preservation month and are for projects completed within the previous calendar year.

Five project categories are eligible for the awards: residential, commercial, publicly-owned, sensitive new in-fill, and personal achievement.

Chairman Martin and the Honorable Mayor Sally Faith presented the Landmarks Board Preservation Awards to the following:

- 116 North Main St. – Main Street Church
- 119 South Main St. – Randy Schilling
- OPO Plaza @ 119 South Main St. – Randy Schilling
- 825 Clark St. – Randy Green
- Charlotte Worthington, Lifetime Achievement in Preservation

Chairman Martin ended the presentation by thanking the recipients for their contributions to preserving St. Charles' historic resources. These projects help revitalize the City and attract new visitors and economic activity. Mr. Martin again congratulated this year's recipients on their great work and thanked the City Councilmembers and Mayor Faith for allowing the Board the

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time to acknowledge the award winners for all they do to continue to preserve and protect the City's unique historic character.

Verbal Update Relative to Various Road Projects

Interim Director of Engineering Brad Temme provided a brief update on the following road projects: Rio Vista/South Fifth Street Culvert, Route 370 Enhancement, Second Street Water Main, Droste Road Reconstruction, First Capitol Enhancement and Truman Road.

Appointments to Boards/Commissions/Committees

A motion was made by DAVE BECKERING to approve the following appointments:

Convention and Visitors Commission

Reappointment of April Feldwerth for a three year term ending May, 2021

Fair Housing Commission

Reappointment of Melanie McIlroy for a three year term ending May, 2021

Parks and Recreation Board

Reappointment of Katherine Mudrovic for a three year term ending May, 2021

Reappointment of Thomas Smith, Jr. for a three year term ending May, 2021

ROD HERRMANN seconded the motion. A roll call vote was taken with the following results: "Aye": Haberstroh, Hanneke, Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering and Besselman. "Nay": None. Absent: None. Motion passed.
File #48783

Written and/or Verbal Messages from the Mayor

The Honorable Mayor Sally Faith announced the following upcoming events "happening" in the City of Saint Charles: Music on Main, Wednesday May 16; Farmers Mark, Saturday, May 19; Historical Children's Festival, Saturday, May 19; City of Saint Charles Public Safety Day, Saturday, May 19; Prop P Dedication Celebration, Thursday, May 24.

PUBLIC COMMENT

Tom Lloyd, 308 North Main Street, representing Big A's, spoke in opposition to Council Bill 12547.

Scott Kemper, 307 South Gore, representing Llewelyn's Pub, spoke in opposition to Council Bill 12547.

Eric Sohn, 223 North Main, representing Quintessential Dining, spoke in opposition to Council Bill 12547.

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Curtis Wilcoxon, 208 North Main, representing Lloyd & Harry's, spoke in opposition to Council Bill 12547.

Jeff Parrish, 5414 Guinevere Drive, representing Quintessential Dining, spoke in opposition to Council Bill 12547.

Dr. Joy K. Ebest, 3228 Yale Boulevard, spoke in opposition to Council Bill 12547.

Mark Lovelace, 5 Stonehill Court, representing Kubrick's, spoke in opposition to Council Bill 12547.

Randy Shilling, 112 South Main Street, voiced concerns relative to Council Bill 12547; more specifically not sure this bill is the solution with the issues on Main Street.

Emily Ostby, 2965 Oakmoor Drive, representing Llewelyn's Pub, spoke in opposition to Council Bill 12547.

Councilmember Dave Beckering stated Council Bill 12547 is not asking the restaurants to close at 11:00 p.m. but rather stop selling liquor at 11:00 p.m.

RESOLUTIONS

A Resolution Declaring Furniture, Equipment and Miscellaneous Supplies as Surplus Property and Authorizing Disposal by On-Line Auction Service GovDeals (*Sponsor: John Hanneke*)

Passed "Aye": Hanneke, Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman and Haberstroh
 "Nay": None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Resolution 18-025**

A Resolution Memorializing the Mayor's Designation of the Director of Community Development to Sign Deeds of Release for the CDBG Home Improvement Loan Program (*Sponsor: John Hanneke*)

Passed "Aye": Hanneke, Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman and Haberstroh
 "Nay": None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Resolution 18-026**

A Resolution Declaring Information Technology Equipment Surplus Property; Authorizing Disposal of the Equipment with Resale Value By Internet Auction; and Authorizing Recycling of the Equipment without Resale Value (*Sponsor: John Hanneke*)

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Passed “Aye”: Hanneke, Herrmann, Ohmes, Ohms, Ratchford, Reese, West,
 Beckering, Besselman and Haberstroh
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Resolution 18-027**

BILLS FOR FINAL PASSAGE

Bill 12529

An Ordinance Authorizing a Student Clinical Site Affiliation Agreement Between the City of St. Charles and Lindenwood Female College d/b/a Lindenwood University for the Purpose of Implementing a Program to Provide Clinical Experience and Training in Emergency Medical Services (*Sponsor: Mary Ann Ohms*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
 Besselman, Haberstroh and Hanneke
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-112**

Bill 12530

An Ordinance Repealing Ordinance Number 2017-293; Annexing Certain Adjacent Contiguous Land into the City of Saint Charles, Missouri, and Assigning the Land to a Designated Ward of the City Being Petitioned for Annexation by Bogey Hills Golf & Country Club, Inc., an Approximate 106.495 Acre Tract of Land with an Address of 1120 Country Club Road (*Sponsors: Jerry Reese and John Hanneke*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
 Besselman, Haberstroh and Hanneke
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-113**

Bill 12531

An Ordinance Authorizing Filing a Grant Application with the U.S. Department of Justice, Office of Justice Programs, for the Bulletproof Vest Partnership Grant; and to Perform All Acts Necessary to Accept and Receive the Grant (*Sponsors: Jerry Reese, John Hanneke and Mary Ann Ohms*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
 Besselman, Haberstroh and Hanneke
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-114**

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Bill 12532

An Ordinance Amending Sections 400.421 and 400.670 of the Code of Ordinances Pertaining to Parking Standards for Guest Houses in Residential Zoning Districts
(Sponsors: John Hanneke and Mary Ann Ohms)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke

“Nay”: None

Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-115**

Bill 12533

An Ordinance Authorizing Filing a Grant Application with the Walmart Foundation for the Walmart Community Grant Funds to Help Cover the Cost of Data Drive Anti-Crime and Traffic Safety Overtime Payments to Police Officers; and to Perform All Acts Necessary to Accept and Receive the Grant (*Sponsors: Jerry Reese, John Hanneke and Mary Ann Ohms*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke

“Nay”: None

Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-116**

Bill 12534

An Ordinance Terminating the Police Services Agreement Approved by Ordinance Number 2018-008 and Authorizing an Amended Police Services Agreement with the Saint Charles R-VI School District for Two School Resource Officers for the Period of July 1, 2018 Through June 30, 2021 (*Sponsors: Jerry Reese and John Hanneke*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke

“Nay”: None

Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-117**

Bill 12535

An Ordinance Authorizing Supplemental Agreement Number 2 to the Engineering Services Contract with Woodard and Curran, Inc. for the Design of the Elm Street and Sibley Street Culvert Replacement Project in an Amount of \$1,300.00, for a Total Amount Not to Exceed \$150,690.00 (*Sponsors: Dave Beckering, Bart Haberstroh and Rod Herrmann*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman, Haberstroh and Hanneke

“Nay”: None

Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-118**

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke
“Nay”: None
Absent: None

<i>Passed</i>	“Aye”:	Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman, Haberstroh and Hanneke
	“Nay”:	None
	Absent:	None

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke
“Nay”: None
Absent: None

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<i>Passed</i>	“Aye”:	Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman, Haberstroh, Hanneke and Herrmann
	“Nay”:	None
	“Abstain”:	Besselman
	Absent:	None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-122**

Bill 12540

An Ordinance Authorizing a Cost Apportionment Agreement between the Missouri Highways and Transportation Commission and the City of St. Charles to Coordinate Funding the Cost of Reviewing Traffic Analysis and Modeling for Route 364 and 94 Interchange and Along Route 94 Easterly to Zumbehl Road in an Amount Not to Exceed \$25,000.00 (*Sponsors: Mary West and John Hanneke*)

<i>Passed</i>	“Aye”:	Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering, Besselman, Haberstroh and Hanneke
	“Nay”:	None
	Absent:	None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-123**

Bill 12541

An Ordinance Amending Chapter 145 of the Code of Ordinances by Enacting a New Section to be known as Section 145.055 Pertaining to Contractor Responsibility for Construction Contracts (*Sponsors: Dave Beckering, Mary Ann Ohms, Tom Besselman, Vince Ratchford, Rod Herrmann, Bridget Ohmes and Mary West*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke
“Nay”: None
Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-124**

Bill 12542

An Ordinance Approving the Record Plat for Truman Crossing Plat Three, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Passed “Aye”: Herrmann, Ohmes, Ohms, Ratchford, Reese, West, Beckering,
Besselman, Haberstroh and Hanneke
“Nay”: None
Absent: None

Approved by the Honorable Mayor on May 18, 2018 and is known as **Ordinance 18-125**

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BILLS FOR INTRODUCTION

The following council bills were introduced:

Bill 12543

An Ordinance Authorizing a Student Clinical Site Affiliation Agreement Between the City of St. Charles and Boone County Fire Protection District for the Purpose of Implementing a Program to Provide Clinical Experience and Training in Emergency Medical Services (*Sponsor: Mary Ann Ohms*)

Bill 12544

An Ordinance Authorizing an Agreement Between St. Charles County, Missouri and the City of St. Charles, Missouri to Annex and Convey Right-of-Way of a Portion of Fairgrounds Road (*Sponsor: Vince Ratchford*)

Bill 12545

An Ordinance Authorizing Execution of an Ingress, Egress and Utility Easement Agreement with GTP Towers IV, LLC (*Sponsor: Mary Ann Ohms*)

Bill 12546

An Ordinance Authorizing a Cooperative Cost Sharing Agreement Between the City of St. Charles and The New Town at St. Charles General Assembly for Galvanized Steel Perforated Plates for Open-Grated Bridges in New Town in an Amount Not to Exceed \$15,693.33 (*Sponsor: Rod Herrmann*)

Bill 12547

An Ordinance Amending Section 600.020 of the Code of Ordinances to Prohibit Disposal of Intoxicating Liquor During Certain Hours in the Historic Downtown District (*Sponsors: Dave Beckering, Mary West and Bart Haberstroh*)

Bill 12548

An Ordinance Authorizing a Contract with Donelson Construction Company, LLC for the Annual Asphalt Microsurfacing Project 2018 in an Amount Not to Exceed \$1,396,556.50 (*Sponsors: Mary Ann Ohms, Dave Beckering and Bart Haberstroh*)

Bill 12549

An Ordinance Amending Section 400.550 of the Code of Ordinances Pertaining to Fences (*Sponsor: John Hanneke*)

ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Announcement of Line of Succession

A motion was made by MARY WEST to receive the Announcement of Council Line of Succession. BRIDGET OHMES seconded the motion. All voted in favor. Motion passed.

File #48829

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Recommendation for Appointments to Council Committees and Assignment of Council Liaisons to Boards, Commissions and Committees

A motion was made by MARY WEST to approved the Appointments to the Council Committees and Assignment of Council Liaisons to Boards, Commissions and Committees as presented by Council President John Hanneke. MARY ANN OHMS seconded the motion. All voted in favor. Motion passed.

File #48830

Request to Waive 2017 Real Property Taxes for Saint Charles County Housing Authority
Councilmember Dave Beckering voiced concerns regarding the property maintenance on some of these homes. Discussion was held regarding whether the properties in question are managed by the Housing Authority. Director of Community Development Bruce Evans will contact the manager and discuss this issue and report back to the Council his finding. A motion was made by TOM BESSELMAN to hold this item until the June 5, 2018 Regular City Council Meeting. VINCE RATCHFORD seconded the motion. All voted in favor. Motion passed.

CONSENT AGENDA

A motion was made by DAVE BECKERING to receive and approve the Consent Agenda. JERRY REESE seconded the motion. A roll call vote was taken with the following results: "Aye": Ohms, Ratchford, Reese, West, Beckering, Besselman, Haberstroh, Hanneke, Herrmann and Ohmes. "Nay": None. Absent: None. Motion passed.

- A. Approval of Council Minutes
 - 1. Regular City Council Meeting of May 1, 2018
 - 2. Public Hearing of May 1, 2018

File #48832

- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Council Work Session (Closed) of May 1, 2018
 - b. Grant Committee Meeting of May 1, 2018
 - c. Council Work Session of May 8, 2018
 - d. Council Work Session (Closed) of May 8, 2018

File #48790

File #48833

File #48790

File #48790

- 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Council Work Session of May 1, 2018 (*none*)
 - b. Grant Committee Meeting of May 1, 2018
 - i. Approved grant applications:
 - Boone Center, Inc. \$2,000
 - Community Living, Inc. \$2,500

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- Community Council of St. Charles \$5,000
 - Emmaus Homes, Inc. \$8,500
 - Historic Frenchtown Association \$500.00
 - St. Charles Historical Society \$5,000
 - St. Charles Park and Recreation Foundation \$7,500
 - Volunteers In Medicine \$8,000
 - We Love St. Charles \$5,000
 - Youth In Need \$5,000
 - Duchesne High School \$250
 - Francis Howell North High School \$250
 - Orchard Farm High School \$250
 - St. Charles High School \$250
 - ii. Denied grant applications:
 - Band of Pirates Parents
 - Faith United Methodist Church Preschool
 - St. Peters Choral Society
 - The Foundation for the School District of the City of Saint Charles
 - c. Council Work Session of May 8, 2018 (*none*)
 - d. Council Work Session (Closed) of May 8, 2018 (*none*)
- C. Receipt of Reports from Boards, Commissions, or Committees
- 1. Board of Adjustment Meeting of April 9, 2018
File #48797
 - 2. Citizens with Disabilities Advisory Board Meeting of February 28, 2018
File #48808
 - 3. Digital Media Commission Meeting of January 4, 2018
File #48834
 - 4. Digital Media Commission Meeting of October 5, 2017
File #48767
 - 5. Greater Saint Charles Convention & Visitors Commission Meeting of March 22, 2018
File #48805
 - 6. Planning and Zoning Commission Meeting of March 26, 2018
File #48810
 - 7. Park & Recreation Work Session of April 4, 2018
File #48804
 - 8. Human Relations Commission Meeting of March 15, 2018
File #48806
 - 9. Board of Public Works Meeting of March 26, 2018
File #48809
 - 10. Park & Recreation Board Meeting of March 21, 2018
File #48804

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D. Receipt of Reports of the Director of Administration

1. Monthly Report on Requests for Intra-Departmental Transfer of Appropriations >\$10,000 – April 2018

E. Approval of Contracts and Easements from \$30,001 - \$99,999

1. Contract with Municipal Equipment Company, Inc. for Purchase of Spare Pumps for Lift Stations in an Amount not to exceed \$52,033.00

C18-227

2. Contract with TSI Global Companies, LLC for On-Call Utility Locate Services in the amount not to exceed \$40,000.00

Councilmember Rod Herrmann asked if someone could explain the intent of this contract. Interim Director Temme explained due to backlog installations. Councilmember Herrmann spoke in favor of the yearly renewal because if we don't receive quality service from a contractor we have the option to contract with another vendor.

C18-226

3. Contract with ComTech Communications for Fire Station Alerting Equipment and Software for the City's Five (5) Fire Stations in an Amount not to exceed \$98,821.13

C18-225

F. Preliminary Plats (*none*)

G. Miscellaneous

1. Receipt of the St. Charles Riverfront Community Improvement District Annual Report for 2017

File #48788

2. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Retention Law (*Clerks Office*)

File #48787

3. Investment Reports – March and April 2018
4. Report of the Court Administrator of Monies Deposited and Collected for the month of April 2018
5. Approval of Liquor License Application for Nancy Tinker dba Pedestal Foods located at 209 S Kingshighway

ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items removed from the Consent Agenda.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

There were no announcements from Councilmembers.

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TABLED BILLS

Bill 12494 (*Amended*)

An Ordinance of The City of St. Charles, Missouri, Repealing City of St. Charles, Missouri, Code Of Ordinances, Chapter 230: Noise Control, and Adopting and Enacting a New Chapter 230: Noise Control, of The City Of St. Charles, Missouri, Code of Ordinances; and Providing a Repealer Clause, a Severability Clause, a Savings Clause, a Penalty Clause, And An Effective Date (*Sponsors: Mary Ann Ohms, Vince Ratchford, Mary West, John Hanneke, Jerry Reese, Dave Beckering, Rod Herrmann, Bart Haberstroh, Bridget Ohmes*) (***Tabled at the April 17, 2018 Regular Council Meeting***)

There was no action taken on Tabled Council Bill 12494

APPROVAL OF CLOSED MINUTES

A motion was made by JERRY REESE to approve the following closed session minutes:

Work Session of Tuesday, April 17, 2018, and following the required roll call vote in open session, the Council convened in closed session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2), Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9), and Sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12) at 5:00 p.m. in Conference Room A, Fourth Floor, 200 N. Second Street, St. Charles, Missouri

Work Session of Tuesday, May 1, 2018, and following the required roll call vote in open session, the Council convened in closed session relative to Legal actions, causes of action, or litigation (RSMo 610.021.1), Hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3) and Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9) at 6:00 p.m.

ROD HERRMANN seconded the motion. A roll call vote was taken with the following results: "Aye": Ratchford, Reese, West, Beckering, Besselman, Haberstroh, Hanneke, Herrmann, Ohmes and Ohms. "Nay": None. Absent: None. Motion passed.

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The Regular Council Meeting adjourned at 8:22 p.m.

Date Approved

City Clerk

John Hanneke, Presiding Officer